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APR - 9 2014	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) 2:12-CR-439-PMP-(PAL)
EMMANOUIL VARAGIANNIS,)
(aka Manny Varagiannis),)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on April 9, 2014, defendant EMMANOUIL VARAGIANNIS, aka Manny Varagiannis, pled guilty to a One-Count Superseding Criminal Information charging him with Evasion of Payment in violation of Title 26, United States Code, Section 7201. Superseding Criminal Information, ECF No. ____; Change of Plea Minutes, ECF No. ____; Plea Agreement, ECF No. ____.

This Court finds defendant EMMANOUIL VARAGIANNIS, aka Manny Varagiannis, agreed to the forfeiture set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information. Superseding Criminal Information, ECF No. ____; Change of Plea Minutes, ECF No. ____; Plea Agreement, ECF No. ____.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information and the offense to which defendant EMMANOUIL VARAGIANNIS, aka Manny Varagiannis, pled guilty.

1 The following assets are subject to forfeiture pursuant to Title 26, United States Code, Section
2 7301(a):

3 1) Real property located at 6225 Bellota Drive, Las Vegas, Nevada 89108, described
4 as follows: Lot Seventeen (17) in Block One (1) of Sierra Oeste, as shown by Map thereof on file in
5 Book 31, of Plats, Page 18 in the Office of the County Recorder of Clark County, Nevada.
6 APN: 138-23-710-017. The net sale proceeds of this property will be applied to taxes, penalties, and
7 interest owed by Emmanouil Varagiannis with the remainder, if any, to be forfeited to the United
8 States; and

9 2) Real property located at 2661 Red Rock Street, #101, Las Vegas, Nevada 89146,
10 described as follows:

11 Parcel I:

12 Unit A in Building 6 of Redrock Park Subdivision, a condominium subdivision
13 filed pursuant to the provisions of N.R.S. 117.020 recorded in Book 33 of Plats,
14 Page 19, in the Official Records of the County Recorder, Clark County, Nevada and
15 as defined in the that certain Declaration of Restrictions (Enabling Declaration
16 establishing a plan for condominium ownership of Redrock Park Subdivision)
17 recorded November 21, 1985 in Book 2220 of Official Records, Clark County,
18 Nevada, as Document No. 2179985.

19 Parcel II:

20 An undivided 1/28 interest in and to the common area shown as common area
21 Phase 2 upon the Plat of Redrock Park Subdivision filed pursuant to the provisions
22 of N.R.S. 117.020 recorded in Book 33 of Plats, Page 19, in the Official Records of
23 the County Recorder, Clark County, Nevada and as defined in that certain
24 Declaration of Restrictions (Enabling Declaration establishing a plan for
25 condominium ownership of Redrock Park Subdivision) recorded November 21,

26 ...

1 1985 in Book 2220 of Official Records, Clark County, Nevada as Document No.
2 2179985.

3 Parcel III:

4 A non-exclusive easement for ingress and egress, public utilities and private streets
5 shown over Lot A (The Recreation Area) and common areas Phase One (1) and
6 Two (2) of the condominium project, as shown upon the Plat of Redrock Park
7 Subdivision filed pursuant to the provisions of N.R.S. 117.020 recorded in Book 33
8 of Plats, Page 19, in the Official Records of the County Recorder, Clark County,
9 Nevada and as defined in that certain Declaration of Restrictions (Enabling
10 Declaration establishing a plan for condominium ownership of Redrock Park
11 Subdivision) recorded November 21, 1985 in Book 2220 of Official Records, Clark
12 County, Nevada as Document No. 2179985.

13 Parcel IV:

14 An exclusive easement to use that portion of the Common Area designated as
15 Parking Space No. 6-A, as shown upon the Plat of Redrock Park Subdivision filed
16 pursuant to the provisions of N.R.S. 117.020 recorded in Book 33 of Plats, Page 19,
17 in the Official Records of the County Recorder, Clark County, Nevada and as
18 defined in that certain Declaration of Restrictions (Enabling Declaration
19 establishing a plan for condominium ownership of Redrock Park Subdivision)
20 recorded November 21, 1985 in Book 2220 of Official Records, Clark County,
21 Nevada as Document No. 2179985.

22 APN: 163-12-110-021. The net sale proceeds of this property will be applied to taxes, penalties, and
23 interest owed by Emmanouil Varagiannis with the remainder, if any, to be forfeited to the United
24 States

25 (all of which constitutes "property").

26 . . .

1 This Court finds the United States of America is now entitled to, and should, reduce the
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
6 EMMANOUIL VARAGIANNIS, aka Manny Varagiannis, in the aforementioned property is forfeited
7 and is vested in the United States of America and shall be safely held by the United States of America
8 until further order of the Court.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
10 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
11 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
12 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
13 name and contact information for the government attorney to be served with the petition, pursuant to
14 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
16 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
17 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
18 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
19 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
20 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
21 petition and the relief sought.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
23 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
24 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
25 after the first day of the publication on the official internet government forfeiture site,
26 www.forfeiture.gov.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Daniel D. Hollingsworth
5 Assistant United States Attorney
6 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
8 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
9 following publication of notice of seizure and intent to administratively forfeit the above-described
10 property.

11 DATED this 9th day of April, 2014.

12 
13 B. M. O'Neil
14 UNITED STATES DISTRICT JUDGE

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